

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GOLDEN HOUR DATA SYSTEMS, INC.,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. 2:06-CV-381
	§	
EMSCHARTS, INC., ET AL.,	§	
	§	
Defendants.	§	

ORDER

Before the court is Plaintiff's Motions in Limine (Dkt. Nos. 119-124) and Defendant emsChart's Omnibus Motion in Limine (Dkt. No. 125). A pretrial conference was held in this matter on Thursday, October 23, 2008. At that conference the court addressed these motions. This order memorializes the court's rulings, which were as follows:

Plaintiff's's Motions in Limine (Dkt. Nos. 119-124)

Motion in Limine 1: CARRIED until the evidentiary hearing before Judge Everingham.

Judge Everingham will rule on this Motion after reviewing the claim charts. Any amendments to the claim charts in this case will be strictly limited to those necessary because of the late production by the plaintiff;

Motion in Limine 2: DENIED;

Motions in Limine 3 and 4: DENIED **as a motion in limine**;

Motion in Limine 5: GRANTED as per agreement of the parties;

Motion in Limine 6: GRANTED;

Defendant's Motions in Limine (125)

Motion in Limine 1: GRANTED;

Motion in Limine 2: DENIED after further consideration. The court has carefully considered the defendant's motion and is unpersuaded that the plaintiff must include specific factual allegations in its claim chart to proceed on a claim of inducement. The plaintiff, then, may proceed with their inducement evidence so long as they have properly pleaded and responded appropriately to any interrogatories on the same;

Motion in Limine 3: DENIED;

Motion in Limine 4: DENIED as moot;

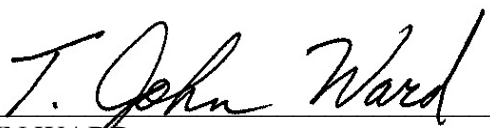
Motion in Limine 5: DENIED **as a motion in limine**;

Motions in Limine 6, 7 and 8: CARRIED until the evidentiary hearing before Judge Everingham. Judge Everingham will rule on these Motions after reviewing the claim charts;

Motion in Limine 8: DENIED;

Motion in Limine 9: GRANTED to the extent the plaintiff seeks to put on any evidence of to assert a priority date earlier than the one disclosed.

SIGNED this 23rd day of October, 2008.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE